

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JAMES BOYD,

Plaintiff,

v.

CONAGRA FOODS, INC.,

Defendant.

No. 4:14-CV-1435-JAR

MEMORANDUM AND ORDER

Before the Court is the Parties' status report concerning several ongoing discovery dispute issues. On April 20, 2015, the Court participated in a telephone conference with counsel regarding these issues. At the conclusion of the call, and later by separate order, the Court directed counsel to confer and to file a status report within seven days. On April 27, 2015, the Parties filed separate status reports. Upon review of the reports, it appeared to the Court that progress was being made on these issues and, therefore, the Court directed the Parties to continue their discussions and to file another status report with the Court.

On May 4, 2015, the Parties file an updated status report ("the Report"). The Report indicates that Plaintiff intends his Revised Requests for Admissions (Doc. 51-1), his Revised Requests for Production of Documents (Doc. 51-2) and his Revised Interrogatories (Doc. 51-3) to replace his previous requests for supplemental responses. The Parties appear to have come to a consensus on several previously contentious issues. However, per the Report, the Parties disagree regarding whether ConAgra should respond to Revised Interrogatory Nos. 2 and 3 as well as the scope of depositions in this matter.

The Court finds that any intent or reasoning relating specifically to Plaintiff is


discoverable. Accordingly,

IT IS HEREBY ORDERED that ConAgra's objection to Revised Interrogatory Nos. 2 and 3 is **OVERRULED**.

IT IS FURTHER ORDERED that ConAgra's Objection to the scope of the depositions is **OVERRULED, in part**. The Court finds that the issue of intent specifically as to Plaintiff is discoverable and reasonably calculated to lead to relevant information. However, intent as to others is not relevant.

IT IS FURTHER ORDERED that to the extent the Parties' status report requests an amendment to the Case Management Order (Doc. 36), the request is **GRANTED**. A separate Amended Case Management Order will accompany this Memorandum and Order.

IT IS FINALLY ORDERED that Defendant's Motion to Enforce the Case Management Order and for a Protective Order (Doc. 43) and Plaintiff's Motion to Compel (Doc. 46) are **DENIED as moot** with leave to refile the motions, if they later become necessary.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE

Dated this 20th day of May, 2015.